

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LAURA E. GREENWAY,	:	CIVIL ACTION NO. 3:17-CV-1578
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
ANDREW SAUL, Commissioner,	:	
of the Social Security Administration,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 19th day of December, 2019, upon consideration of the correspondence (Doc. 31) filed by plaintiff's counsel indicating that counsel is "withdrawing the complaint that [has] been filed in the above-captioned case," (id.), and further upon consideration of the report (Doc. 32) of Magistrate Judge Joseph F. Saporito, Jr., recommending that we construe the correspondence as a request for voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(2), and it appearing that no party has objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure to timely object to a magistrate judge's conclusions "may result in forfeiture of *de novo* review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford "reasoned consideration" to the uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to "satisfy itself that there is no clear error on the face of

the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following independent review of the record, the court being in agreement with Judge Saporito’s recommendation, and concluding that the correspondence is most appropriately construed as a motion for voluntary dismissal pursuant to Rule 41(a)(2), it is hereby ORDERED that:

1. The report (Doc. 32) of Magistrate Judge Saporito is ADOPTED.
2. Plaintiff’s correspondence (Doc. 31) is CONSTRUED as a motion for voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(2) and is GRANTED as so construed.
3. The Clerk of Court shall CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania